

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

DALE W. MARTIN,)	
)	
Petitioner,)	
)	
v.)	Civil No. 04-126-B-W
)	
WARDEN, MAINE STATE PRISON,)	
)	
Respondent.)	

**ORDER AFFIRMING THE
RECOMMENDED DECISION OF THE MAGISTRATE JUDGE**

No objections having been filed to the Magistrate Judge's Recommended Decision filed November 24, 2004, the Recommended Decision is accepted.

Accordingly, it is hereby ORDERED that the Petitioner's 28 U.S.C. § 2254 Petition is DENIED as the Petitioner's claims are either unexhausted or without merit.

SO ORDERED.

/s/ John A. Woodcock, Jr.
JOHN A. WOODCOCK, JR.
UNITED STATES DISTRICT JUDGE

Dated this 14th day of December, 2004.

Petitioner

DALE W MARTIN

represented by **DALE W MARTIN**
MAINE STATE PRISON
807 CUSHING RD
WARREN, ME 04864
PRO SE

V.

Respondent

**WARDEN, MAINE STATE
PRISON**

represented by **CHARLES K. LEADBETTER**
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